

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office APR 27 1999
Returned to applicant for correction MAY 27 1999
Corrected application filed JUL 23 1999
Map filed JUL 23 1999 under 65086

The applicant E-T-T Enterprises, L.L.C., hereby makes application for permission to change the point of diversion, manner of use and place of use of a portion of water heretofore appropriated under Permit 17776; Certificate 8372.

1. The source of water is underground
2. The amount of water to be changed 0.512 cfs and 75.0 afa
3. The water to be used for commercial and domestic
4. The water heretofore permitted for irrigation and domestic
5. The water is to be diverted at the following point SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, Township 21 South, Range 53 East, MDB&M, Nye County, Nevada, from which the Southeast corner of said Section 12 bears south 29° 20' 58" East, a distance of 550.28 feet.
6. The existing permitted point of diversion is located within NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, Township 19 South, Range 53 East, MDB&M, Nye County, Nevada, at a point from which the W $\frac{1}{4}$ corner of said Section 33 bears North 87° 15' West a distance of 2545 ft.
7. Proposed place of use Portion of SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, township 21 South, Range 53 East, MDB&M, Nye County, Nevada, as set forth on accompanying map.
8. Existing place of use Portion of N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 33 Township 19 South, Range 53 East, MDB&M, Nye County, Nevada, 29.96 acres within NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 15.23 acres with NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, Township 19 South, Range 53 East, MDB&M, Nye County, Nevada to be removed from irrigation for a total of 45.19 acres.
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works well, pump and appurtenances.
12. Estimated cost of works \$100,000.00
13. Estimated time required to construct works 3 years, pump house and water tank are existing
14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use with Lake and various water features at Casino operation.

THOMAS DRIGGS, Agent
By s/Tom Driggs
JAMES, DRIGGS, WALCH, SANTORO, KEARNEY,
JOHNSON & THOMPSON
3773 Howard Hughes Pkwy-Ste 290N
Las Vegas, NV 89109

Compared my/cmf hf/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use, and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 17776, Certificate 8372 is issued subject to the terms and conditions imposed in said Permit 17776, Certificate 8372 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

The total combined duty of water under Permits 65086, 65088, 65731, 65732, and 65733 shall not exceed 131.0 acre-feet annually.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.512 cubic feet per second, but not to exceed 75.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

July 20, 2002

Proof of completion of work shall be filed before:

August 20, 2002

Water must be placed to beneficial use on or before:

July 20, 2005

Proof of the application of water to beneficial use shall be filed on or before:

August 20, 2005

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 20th day of, July A.D. 2000


State Engineer

by Hugh Ricci, P.E., Deputy State Engineer

Completion of work filed SEP 23 2002

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____